

**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT
MEETING
MARCH 2, 2010**

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:34 A.M. on TUESDAY, MARCH 2, 2010, a REGULAR SESSION of the Commissioners' Court of Williamson County, Texas, was held with the following being present, to-wit:

Present: Dan A. Gattis, County Judge
Lisa Birkman, Commissioner Precinct 1
Cynthia Long, Commissioner Precinct 2
Valerie Covey, Commissioner Precinct 3
Ron Morrison, Commissioner Precinct 4
Nancy E. Rister, County Clerk
Attendees: Henry Prejean, Chief Civil Litigator
Connie Singleton, Deputy County Clerk

1. Review and approval of minutes.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve the minutes of the last meeting.***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

2. Consider noting in minutes any off right-of-way work on any County road done by Road & Bridge Unified System.

No action was taken.

3. Hear County Auditor concerning invoices, bills, Quick Check Report, and Wire Transfers submitted for payment and take appropriate action including, but not limited to approval for payment provided said items are found by the County Auditor to be legal obligations of the county.

Donna Baker Accounts Payable/Payroll Manager addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey **Motion: To authorize the payment of bills totaling \$1,867,409.08 from computer printout, Addendum, Wire Transfer, Quick Check Report from the proper line items, if found by the County Auditor to be legal expenses as appropriated in the County budget.**

Aye: County Judge Dan A. Gattis
 Commissioner Precinct 1 Lisa Birkman
 Commissioner Precinct 2 Cynthia Long
 Commissioner Precinct 3 Valerie Covey
 Commissioner Precinct 4 Ron Morrison

4. Citizen comments.

The following addressed the Court:
 Jim Dillon of Liberty Hill
 Kurt Johnson Sr. of Austin

CONSENT AGENDA

The Consent Agenda includes routine items that the Court may act on with one single vote. The Judge or a Commissioner may pull any item from the Consent Agenda in order that the Court discuss and act upon it individually as part of the Regular Agenda.
 (Items 5 - 11)

5. Discuss and consider approving a line item transfer for Constable Pct. #4

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve a line item transfer for Constable Pct. #4:

From	0100-0554-003002	Vehicle Equipment<\$5000	\$1,100.00	
To	0100-0554-005700	Vehicles>\$5000	\$1,100.00	

Aye: County Judge Dan A. Gattis
 Commissioner Precinct 1 Lisa Birkman
 Commissioner Precinct 2 Cynthia Long
 Commissioner Precinct 3 Valerie Covey
 Commissioner Precinct 4 Ron Morrison

6. Discuss and consider approving a line item transfer for the Sheriff's Office.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve a line item transfer for the Sheriff's Office:

From	0100-0560-001100	Full-Time Salaries	\$8,038.40	
To	0100-0560-001107	Temporary Labor/Seasonal	\$8,038.40	

Aye: County Judge Dan A. Gattis
 Commissioner Precinct 1 Lisa Birkman
 Commissioner Precinct 2 Cynthia Long
 Commissioner Precinct 3 Valerie Covey
 Commissioner Precinct 4 Ron Morrison

7. **Discuss and consider approving a line item transfer for the County Attorney.**

Budget Officer Ashlie Koenig addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve a line item transfer for the County Attorney (with change of reversing "To" as acct. 0100-0475-003010 and "From" as acct. 0100-0475-003006 and amount from \$4,279.11 to \$1,000.00):

To	0100-0475-003010	Computer Equipment<\$5000	\$1,000.00	
From	0100-0475-003006	Office Equipment<\$5000	\$1,000.00	

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

8. **Consider approving the Treasurer's Report on the Williamson County Finances for January 2010.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve the Treasurer's Report on the Williamson County Finances for January 2010.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

9. **Consider approving property tax refunds over \$2,500 for the month of January 2010 for the Williamson County Tax Assessor/Collector.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve property tax refunds over \$2,500 for the month of January 2010 for the Williamson County Tax Assessor/Collector.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

10. **Consider and discuss appointment of Brian Dirner, Sean Stoudt, Alan Behr, Albert Olguin, and Rick Brann as reserve deputies for Precinct #1 Constable.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve the appointment of Brian Dirner, Sean Stoudt, Alan Behr, Albert Olguin, and Rick Brann as reserve deputies for Precinct #1 Constable.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

11. Consideration of denial of approval of preliminary Plan B/Plat B - Green Haven Subdivision.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To deny approval of preliminary Plan B/Plat B - Green Haven Subdivision.***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

REGULAR AGENDA

12. Consider approving a resolution to proclaim March 2010 as Purchasing Month.

Purchasing Director Bob Space addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve a resolution to proclaim March 2010 as Purchasing Month.***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

13. Discuss and take appropriate action on road bond program.

Senior Director of Infrastructure Bob Daigh reminded the Court of the Road Bond Workshop scheduled on March 11th at 8:30 A.M at Central Maintenance Facility.

No action was taken.

14. Consider authorizing the County Judge to execute a real estate contract with Wright for right-of-way needed on SH 195. (P13)

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To authorize the County Judge to execute a real estate contract with Shell-Hwy 195, LLC, Michael Wright for right-of-way needed on SH 195. (P13)***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

15. **Consider authorizing the County Judge to execute a real estate contract with Ruben Vidal and Adelaida Vidal for right-of-way needed on RM 2338. (P14)**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To authorize the County Judge to execute a real estate contract with Ruben Vidal and Adelaida Vidal for right-of-way needed on RM 2338. (P14)***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

16. **Consider a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of RM 2338 and take appropriate action. (Stephens)**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve a resolution determining the necessity and authorize the condemnation of certain property interests required for the construction of RM 2338. (Stephens)***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

17. **Consider a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of RM 2338 and take appropriate action. (Risley)**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve a resolution determining the necessity and authorize the condemnation of certain property interests required for the construction of RM 2338. (Risley)***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

18. **Consider a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of RM 2338 and take appropriate action. (Martin)**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve a resolution determining the necessity and authorize the condemnation of certain property interests required for the construction of RM 2338. (Martin)***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey

19. **Consider authorizing the County Judge to execute a real estate contract with Stonewood Enterprises, LTD. for right-of-way needed on SH 195. (Parcels 41 & 57)**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To authorize the County Judge to execute a real estate contract with Stonewood Enterprises, LTD. for right-of-way needed on SH 195. (Parcels 41 & 57)***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

20. **Discuss and take action on property listing agreement with Don Quick & Associates.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve a property listing agreement with Don Quick & Associates with the change of striking paragraph 14C - Indemnity of Broker.***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

21. **Discuss and consider approving Pct. #3 Constable's Office reinstating the contract for Accurant Application & Agreement for Law Enforcement Investigation and Research.**

Constable Precinct 3 Bobby Gutierrez addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve Pct. #3 Constable's Office reinstating the contract for Accurant Application & Agreement for Law Enforcement Investigation and Research software with LexisNexis Risk & Information Analytics Group Inc.***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

22. **Consider approving the agreement between Williamson County and M.J. Harden Associates, Inc. to provide photogrammetric services, digital orthophotography.**

Director of GIS/Addressing Richard Semple addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve the agreement between Williamson County and M.J. Harden Associates, Inc. to provide photogrammetric services-digital orthophotography.***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

COMMISSIONERS' COURT RECESSED TO EXECUTIVE SESSION AT 10:03 A.M. ON TUESDAY, MARCH 2, 2010.

23. Discuss real estate matters (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.0721 Deliberation Regarding Real Estate Property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with third person).
1. Proposed or potential purchase of lease of property by the County:
- a) Discuss proposed acquisition of property for right-of-way for RM 2338 Phase II.
 - b) Discuss proposed acquisition of property for right-of-way for SH 195 0.805 south of Bell County Line to IH 35.
 - c) Discuss proposed acquisition of property for right-of-way for US 183 Extension from 1,000 feet south of San Gabriel to 1,000 feet north of SH 29.
 - d) Discuss proposed acquisition of property for right-of-way for O'Connor Boulevard and 620 project.
 - e) Discuss proposed acquisition of property for right-of-way for Ronald Reagan Blvd. Phase III and Phase IV.
 - f) Discuss proposed acquisition of property for proposed SH 29 project.
 - g) Discuss proposed acquisition of property for right-of-way for US 79 Section 3 from east of Hutto to CR 402.
 - h) Discuss proposed acquisition of property for right-of-way for US 79 Section 5A from east of Taylor to Thrall.
 - i) Discuss proposed acquisition of property for right-of-way on Haybarn Lane.
 - j) Discuss proposed acquisition of property for right-of-way on CR 313.
 - k) Discuss proposed acquisition of property for right-of-way on CR 274/San Gabriel Parkway.
 - l) Discuss proposed acquisition of property for right-of-way on CR 138.
 - m) Discuss proposed acquisition of property for right-of-way for Lakeline extension.

No action was taken in Executive Session.

24. Discuss real estate matters (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.0721 Deliberation Regarding Real Property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person).
- 1) Proposed or potential purchase or lease of property by the County
- Possible purchase of property for County facility or facilities location

2) Proposed or potential purchase, lease or exchange of County-owned property

• Possible sale of County real property

No action was taken in Executive Session.

- 25. Discuss pending or contemplated litigation, settlement matters and other confidential attorney-client legal matters (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 Consultation with Attorney).**

Litigation or claims or potential litigation or claims against the County or by the County and/or other confidential attorney-client matters, including contracts (discussion and possible action)

- a) Voss v. Williamson County**
- b) Employment related matters**

No action was taken in Executive Session.

- 26. Consultation with attorney pursuant to Government Code Sec. 551.071 regarding litigation or claims or potential litigation or claims against the County or by the County.**

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 11:10 A.M. ON TUESDAY, MARCH 2, 2010.

- 27. Discuss and take appropriate action on real estate.**

No action was taken.

- 28. Discuss and take appropriate action on pending or contemplated litigation.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve payment of \$3,639 in settlement of property damage and loss claims for the Voss v. Williamson County case and authorize the County Judge to execute settlement documents approved as to form by the County Attorney's Office.***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

- 29. Comments from Commissioners.**

Judge Gattis congratulated the Sheriff's Office for passing the State Jail Standards for the 5th time.

Commissioner Covey commented that the Court will be getting an invitation for a Flag Presentation next Monday at 11:30 A.M. at the south entrance of the Courthouse on the Square. Union State Bank adopted a segment of Fort Hood's 1st Cavalry and will be sponsoring the flag presentation with Congressman Carter in attendance.

Commissioner Long commented that on April 3rd there will be an Active Duty and Vet's Day with A & M Medical School, Camp Mabry and the city of Cedar Park. There will be booths and vendors at the Cedar Park Event Center and the troops will be invited to a Hockey game in the evening.

**COMMISSIONERS' COURT ADJOURNED AT 11:13 A.M. ON TUESDAY,
MARCH 2, 2010.**

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 9th day of March, 2010.



ATTEST: Nancy E. Rister, Clerk of Commissioners' Court, Williamson County, Texas

By: Connie Singleton, Deputy